

United States District Court

EASTERN DISTRICT OF WISCONSIN

COURT MINUTES

HON. **Nancy Joseph**, presiding.

DATE: **September 28, 2011**

CASE NO. **11-CR-69**

UNITED STATES v. **Roland Flath**

Deputy Clerk: Karen

Court Reporter:

Time Called: 10:05:37

Time Concluded: 10:19:06

PROCEEDING: **In-Court Status Hearing**

UNITED STATES by: **Penelope Coblenz/Mi Yung Clair Park (by phone)**

ATTORNEY FOR DEFENDANT: **Brian Fahl (USFD)**

Crt. addresses the Motion to Suppress and the deft.'s request for an evidentiary hrg. Deft. is not contesting the facts but feels some information is needed before suppression motion is decided.

Deft. requests information as to who was involved in obtaining the search warrant and what information was given to the issuing officer. The govt. is working on obtaining a declaration regarding this information. Deft. has concerns regarding the reasonableness of the search warrant.

Govt. does not believe the deft's concerns are pertinent under the law but requests additional time to receive the release of the declaration from the Belize government. An "unofficial" copy may be obtained more quickly.

The Belize government needs to approve the language.

Crt. statements. Deft. is in custody. The crt. w/need to wait until the final declaration is received. Once it is received, the parties are to submit their position. If the declaration cannot be obtained in a timely manner, the govt. is to update the crt. as to the time frame in which the receipt of the declaration can be anticipated.

The parties do not anticipate a long briefing period. The govt. believes only a response to the deft.'s position will be necessary.

The court believes the parties have addressed the applicable law. After the declaration is received, the court will set a short briefing period.

The govt. indicates it will contact the appropriate parties following this conference to obtain information as to the time frame for the receipt of the declaration.